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The Foreign Service
of the
United States of America

American Embassy
Montevideo, Uruguay,
August 11, 1948

No. 560

CONFIDENTIAL

Subject: Uruguay River Boundary Question and Salto Grande Hydroelectric Project

The Honorable
The Secretary of State,
Washington.

Sir:

I have the honor to report that on August 6 I had a conversation with Ambassador Domínguez Cámpora during which he brought up the question of the Argentine-Uruguay boundary in the Uruguay River in relation to the Salto Grande hydroelectric project. (Please see the last paragraph of my despatch no. 539 of August 4 and the penultimate paragraph of its enclosure.)

It was at President Batlle Berres' suggestion that the Ambassador briefly describe to me Uruguayan views on these subjects. The enclosed memorandum of the conversation gives the substance of his statements.

I gather from his comments, and from reviewing briefly the Uruguay River boundary question that the Uruguayans may not be able promptly to reach a decision among themselves as to what they want as the boundary line in the Uruguay River.

In this connection, it is interesting to refer to the Argentine-Uruguay treaty on the demarcation of islands of the Uruguay River signed on September 28, 1916 but never ratified, and related statements published by the Uruguayan Ministry of Foreign Affairs at that time. These documents may be found on pages 191-211 of a book entitled "Memoria del Ministerio de Relaciones Exteriores, (Septiembre de 1916 a 16 de Febrero de 1918)", Montevideo 1918.

It may also be of interest to refer to the Embassy's despatch no. 198 of June 6, 1938 and previous despatches concerning a minor Argentine-Uruguayan difference at that time in regard to an island in the Uruguay River.

Very truly yours,

/s/ Ellis O. Briggs

Ellis O. Briggs
American Ambassador

Enclosure:

Memorandum of conversation of
August 6, 1948 with Ambassador
Alberto Domínguez Cámpora

Copies to American Embassies at
Buenos Aires and Rio de Janeiro

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VITAL
STORAGE

August 11, 1948, from American Embassy,
Montevideo, entitled "Uruguay River
Boundary Question and Salto Grande
Hydroelectric Project"

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August 6, 1948

Subject: Conversation with Ambassador Domínguez Cámpora with further Reference
to Uruguayan Views on Boundary Settlements and the Salto Grande Project.

The President of Uruguay having suggested that Ambassador Domínguez Cámpora bring me up-to-date on the above subjects, the Ambassador today outlined them to me as follows:

1. No treaty between Uruguay and Argentina exists defining jurisdiction in the Rio de la Plata estuary. Argentina claims the entire estuary, but would probably be willing to settle for the thalweg, which runs very close to the Uruguayan shore and hence would be unacceptable to Uruguay. No negotiations are in prospect in regard to the estuary and Uruguay apparently would not seek to couple an estuary boundary settlement with a Rio Uruguay settlement.

2. A treaty was negotiated and signed September 28, 1916, establishing a thalweg boundary for the Rio Uruguay, but it was never ratified by Uruguay party, according to the Ambassador, because the Uruguayan negotiators failed to have included a specific provision stating that Uruguay's acceptance of the thalweg in the Rio Uruguay should not be construed as affecting in any way Uruguay's rights in regard to, or position on, the Rio de la Plata estuary. Domínguez Cámpora said that a middle line boundary for the Rio Uruguay would also be satisfactory except that it would divide innumerable islands which would have to be the subject of special additional provisions in a treaty. Most of them have little or no intrinsic value and obviously it would be impractical to run boundary markers through them, establish frontier posts on them, et cetera. I asked whether the channel shifts in the Rio Uruguay and he replied that for ninety per cent of the distance between the Brazil-Uruguay-Argentina frontier where the Rio Cuareim enters the Rio Uruguay, and the mouth of that river in the Rio de la Plata estuary the channel does not change appreciably. The remaining distance might have to be the subject of special negotiations and provisions.

3. Domínguez Cámpora confirmed the fact that it is Argentina that is showing the principal interest in the Salto Grande hydroelectric project, which is being widely discussed in the Argentine Congress and press, with the Government making large claims for the importance and urgency of it. For this reason Uruguay is seeking a Rio Uruguay boundary settlement as a prerequisite, using the argument "let's first establish jurisdiction on the river and then talk about power developments". Uruguay does not at present propose, however, (see Paragraph 1) to inject the estuary boundary ~~sub~~ problem (contrary to the impression I had previously entertained).

4. As germane to the boundary matter and to Uruguay's present concern with respect to Argentina, Domínguez Cámpora observed that Uruguay had been somewhat worried by the Act of Chapultepec in its definition of aggression, namely Part I, Paragraph 3, in which aggression is defined as "invasion by armed forces...trespassing boundary established by treaty...". Since the Rio Uruguay boundary has not been "established by treaty" the crossing thereof by armed Argentines might not technically constitute aggression, under Chapultepec. Consequently Uruguay worked at Quitandinha for the deletion of this definition and the reference instead to "armed attack", "inviolability of the integrity of the territory or sovereignty or political independence", et cetera. Domínguez Cámpora expressed the opinion that the Quitandinha definition is satisfactory.

EOBriggs/be/mfc

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